

**Appl. No.: 09/929,147**  
**Amdt. dated May 26, 2004**  
**Reply to final Office action of March 29, 2004**

### **REMARKS/ARGUMENTS**

Applicant received the Final Office Action dated March 29, 2004, in which the Examiner: (1) objected to claims 40, 47 and 54 as being dependent on canceled claims; (2) rejected claims 1, 3, 5, 7, 15-17, 20, 22-24, 27, 29-31, 34, 36-38, 41, 43-45, 48, 50-52 and 55 as obvious in view of U.S. Patent No. 5,715,455 ("Macon") and U.S. Patent No. 6,311,152 ("Bai"); (3) rejected claim 6 as obvious in view of Macon, Bai and U.S. Patent No. 6,256,282 ("Yamagami"); (4) rejected claims 8, 19, 26, 33, 40, 47 and 54 as obvious in view of Macon, Bai, Zwilling and U.S. Patent No. 6,377,958 ("Orcutt"); (5) rejected claim 10 as obvious in view of Macon, U.S. Patent No. 6,253,300 ("Lawrence") and Bai; (6) rejected claim 11 in view of Macon, Lawrence, Bai and U.S. Patent No. 5,732,402 ("Lehman"); (7) rejected claim 12 in view of Macon, Lawrence, Bai and Yamagami; (8) rejected claim 13 in view of Macon, Lawrence, Bai, Zwilling and Orcutt; (9) rejected claim 57 in view of Macon, Bai and U.S. Patent No. 5,227,863 ("Bilbrey"); and (10) objected to claims 9, 14, 21, 28, 35, 42, 49 and 56 for being dependent on rejected base claims.

In this Preliminary Amendment, Applicant amends claim 1, 10, 15, 22, 29, 36, 40, 43, 47, 50 and 54. Based on the amendments and arguments contained herein, Applicant respectfully requests reconsideration and allowance of the pending claims.

#### **I. CLAIM OBJECTIONS**

Claims 40, 47 and 54 were amended to depend on claims that are not canceled.

#### **II. CLAIM REJECTIONS**

Applicant discussed the Examiner's use of the Bai reference with the Examiner in a telephonic interview on May 21, 2004. In that discussion, Applicant explained that Bai relates to Chinese language interpretation and thus is completely irrelevant to the claimed subject matter. For instance, the Examiner used Bai in the rejection of claim 1 to allegedly read on the limitation of "a counter indicative of a number of sets of adjacent bits that are set in words of the second data structure." (The Examiner conceded that Macon fails to disclose this

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limitation.) However, the reference that the Examiner used to the term "words" in Bai (col. 8, lines 55-56) is directed to "words" in the context of Chinese words, not computer words. The Examiner stated that amending the claims to clarify this distinction would overcome the art of record.

Accordingly, claim 1 as been amended to specify that "each word comprises a plurality of bits." None of the references, individually or in combination, teaches "a counter indicative of a number of sets of adjacent bits that are set in words of the second data structure...wherein each word comprises a plurality of bits" as claimed. Applicant submits that claim 1 and all claims that depend from claim 1 are allowable.

Amended claim 10, in part, requires "a usage counter indicative of a number of sets of adjacent bits that are set in words of the directory bitmap, wherein each word comprises a plurality of bits." The Examiner admits that Macon does not teach or suggest "a counter indicative of a number of sets of adjacent bits that are set in words of the directory bitmap" and cites Bai as teaching counting the appearance of adjacent n words (col. 8, lines 55-56). However, as described above, Bai teaches counting Chinese text words (see col. 4, lines 16-49) and does not teach or suggest that "each word comprises a plurality of bits" as required in claim 10. The art of record does not teach or suggest the above limitations. For at least these reasons, Applicant submits that claim 10 and all claims that depend from claim 10 are allowable.

Amended claim 15, in part, requires "consulting at least one usage counter to manage the objects, the at least one usage counter indicates how many sets of adjacent bits are set in words of the second data structure, wherein each word comprises a plurality of bits associated with an implementation specific wordlength." The Examiner rejected claim 15 in view of Macon and Bai, but did not specifically address the limitations of claim 15. For at least the reasons provided above, with respect to claim 1, Applicant submits that claim 15 and all claims that depend from claim 15 are allowable.

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Amended claim 22, in part, comprises "consulting at least one usage counter that indicates how many sets of adjacent bits are set in words of the second data structure, wherein each word comprises a plurality of electronic bits." For at least the reasons provided above, with respect to claim 1, Applicant submits that claim 22 and all claims that depend from claim 22 are allowable.

Amended claim 29, in part, requires "consulting at least one usage counter that indicates how many sets of adjacent bits are set in words of the second data structure, wherein the words each have a wordlength based on a maximum number of bits handled by a processor that executes an operating system." For at least the reasons provided above, with respect to claim 1, Applicant submits that claim 29 and all claims that depend from claim 29 are allowable.

Amended claim 36, in part, requires "consulting at least one usage counter that indicates how many sets of adjacent binary bits are set in words of the directory structure." As described above, Bai teaches Chinese text words and does not teach or suggest "adjacent binary bits are set in words" as required in claim 36. None of the references nor combinations of the references cited by the Examiner teach the above limitations. For at least these reasons, Applicant submits that claim 36 and all claims that depend from claim 36 are allowable.

Amended claim 43, in part, requires "consulting at least one usage counter that indicates how many sets of adjacent bits are set in words of the directory structure, wherein each word comprises a plurality of bits." For at least the reasons provided above, with respect to claim 1, Applicant submits that claim 43 and all claims that depend from claim 43 are allowable.

Amended claim 50, in part, requires "consulting at least one usage counter that indicates how many sets of adjacent bits are set in words of the directory structure, wherein each word comprises a plurality of bits." For at least the reasons provided above, with respect to claim 1, Applicant submits that claim 50 and all claims that depend from claim 50 are allowable.

### **III. CONCLUSIONS**

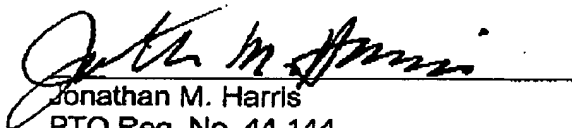
In the course of the foregoing discussion, Applicant may have at times referred to claim limitations in shorthand fashion, or may have focused on a

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particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the cited art which have yet to be raised, but which may be raised in the future.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. If any fees or time extensions are inadvertently omitted or if any fees have been overpaid, please appropriately charge or credit those fees to Hewlett-Packard Company Deposit Account Number 08-2025 and enter any time extension(s) necessary to prevent this case from being abandoned.

Respectfully submitted,



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